



King County

Steve Hammond

Councilmember

District Nine

King County Council

516 Third Avenue

Room 1200

Seattle, WA 98104

steve.hammond@metrokc.gov

(206) 296-1024 TTY/TDD

(206) 296-1009 phone

April 6, 2005

Dean Logan
Director
King County REALS
500 Fourth Avenue, Room 553
Seattle, WA 98104-2337

Dear Mr. Logan:

I delivered to your office yesterday a letter, directed to the attention of Bobbie Egan, making the following request:

Please consider this a formal request that you release to my office the names and addresses of those 93 people whose ballots were left uncounted in the 2004 general election. To ensure clarity, I desire the names and addresses of those persons connected with 93 ballots referenced in your recent press releases of the past week, referenced in last Friday's email from Don Porter to counsel in the Chelan County election contest and represented in the April 2, 2005 "Untabulated Ballots Report by Precinct" (see attached). It is my intention to notify these persons regarding the status of their ballot.

In an article in today's King County Journal, *Councilman wants names in unopened ballots released*, Ms. Egan is quoted as saying "[t]o date, King County Elections has not created a list of the 93 voters and will continue to work with the King County prosecuting attorney on this matter."

Given that your office has not yet compiled a list of the 93 voters whose ballots were left uncounted, please consider the following an addendum to yesterday's request and please consider both requests to be pursuant to the state open records law, Wash. Rev. Code Ann. Sec. 42.17.010 to 42.17.350.

Addendum: should you be unable to provide, within five days, a list of names and addresses for the 93 persons whose ballots were uncounted as referenced above please identify a time in the coming five days when my staff may review envelopes associated with said 93 ballots or, in the alternative, please provide a photocopy of the names and return addresses from those envelopes.

In addition, I note that the presence of 93 uncounted absentee ballots calls into question the accuracy of the November 2, 2004 Mail Ballot Report that reconciles mail ballots received with those counted or rejected (see enclosed). Given that WAC 434-240-270 (7) requires that your office maintain an audit trail on absentee ballots that includes "[a] reconciliation that all absentee ballots counted plus all absentee ballots rejected is equal to the total number of absentee ballots received," please consider this a request that you prepare a new mail ballot report that accurately reflects the status of the 93 uncounted ballots and also accounts for any

additional discrepancies in the absentee ballot count discovered since preparation of the November 2nd report. Please provide a discrepancy report where appropriate.

In addition, it has been reported in the press that an internal memorandum was prepared by your staff explaining circumstances whereby a discrepancy in absentee ballots counted and rejected and those received was described. Please make a copy of that memorandum available to my staff at your earliest convenience.

I ask that you contact my office to explain any anticipated delays and discuss possible solutions. You may contact my Chief of Staff Jeff Cox at (206) 296-1619.

Thank you in advance for your assistance.

Regards,

A handwritten signature in black ink that reads "Steve Hammond". The signature is fluid and cursive, with a large loop at the end of the last name.

Steve Hammond
Metropolitan King County Councilmember, 9th District